



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, MAY 11, 2005

9:00 a.m.
Room 204
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **May 11, 2005**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Larry Ng (larry.ng@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **H05-010. Site Development Permit** to convert an existing single-family residence into a duplex by adding an attached unit to the rear of the existing single-family house, on a 0.20 gross acre site in the R-2 Two-Family Residence Zoning District, located at/on the west side of North 34th approximately 295 feet south of McKee Road (247 N 34TH ST) (Martins Serafim L And Maria C, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt. **Deferred from 4/20/05 DEFER TO 6/8/056**
- b. **PT04-089. Planned Development Tentative Map Permit** to subdivide 1 parcel into 6 lots for single-family detached residential uses on a 0.421 gross acre site in the A Agricultural Zoning District, located at/on the south side of Murphy Avenue approximately 100 feet west of Deluca Drive (Silicon Valley Habitat For Humanity, Owner). Council District 4. SNI: None. CEQA: Exempt. **Deferred from 4/27/05**
- c. **PDA 94-052-06. Planned Development Permit Amendment** to allow an approximately 210 square foot second floor addition, resulting in a Floor Area Ratio of 0.49 for an existing 2-story single family residence on a 0.1 gross acre site in the A(PD) Planned Development Zoning District, located on the south side of Ashton Oaks Way, approximately 120 feet easterly of Basking Ridge Avenue (710 ASHTON OAKS WY) (Gia and Perry Manole, Owners). Council District 2. CEQA: EIR Resolution No. 65660. **DEFER TO 5/18/05**

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **PD 05-007. Planned Development Permit** to allow the installation of (4) four, 80-foot tall lighting/fixture poles on an existing football field and the construction of a 8-foot high sound wall along the project driveway/entrance at

- Skyway Drive for an existing private school on a 52 gross acre site in the A(PD) Planned Development Zoning District, located at the easterly terminus of Skyway Drive, East of Monterey Road (100 SKYWAY DR) (Valley Christian Schools, Owner). Council District 2. SNI: None. CEQA: Negative Declaration.
- b. **SP04-070. Special Use Permit** to allow demolition of a legal non-conforming single-family detached residence on a 0.1 gross acre site in the CO Office Commercial Zoning District, located at/on the south side of West Julian Street, approximately 250 feet easterly of The Alameda (1074 W JULIAN ST) (Berns Bertram M, Owner). Council District 6. SNI: None. CEQA: Exempt.
 - c. **PD04-006. Planned Development Permit** to allow the remodeling of an existing building to include 13,200 square feet for private instruction and dormitory uses, the replacement of an existing surface parking lot with a play field , and a 1,200-square-foot modular building on a 10.44 gross acre site in the A(PD) Planned Development Zoning District, located on the northwest corner of Hillsdale Avenue and Almaden Expressway (1175 HILLSDALE AV) (Calvary Chapel San Jose, Owner). Council District 9. SNI: None. CEQA: Exempt.
 - d. **SP05-007. Special Use Permit** request to allow an off-site parking arrangement in conjunction with the conversion of approximately 6000 Sq Ft warehouse into office use on a 9.4 gross acre site in the IP Industrial Park Zoning District, located at/on the northwest intersection of North First Street and Tasman Drive (3655 N 1ST ST) (Tasman Property Inc, Owner). Council District 4. SNI: None. CEQA: Exempt.
 - e. **TR05-022. Tree Removal Permit** request to remove one Pine tree 104 inches in circumference on a 0.16 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the east side of Fawn Drive, approximately 60 feet south of Geneva Street (3110 FAWN DR) (Berticevich Joe N And Penni M, Owner). Council District 9. CEQA: Exempt.
 - f. **SP04-069. Special Use Permit** to replace an exterior stairway and allow exterior modifications of a legal non-conforming multi-family residence on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the west side of South 12th Street, approximately 100 feet northerly of San Antonio Street (187 South 12th Street) (Alton Michael J, Owner). Council District 3. SNI: University. CEQA: Exempt.
 - g. **SP05-012. Special Use Permit** to allow temporary relocation of a single-family residence on a 0.2 gross acre site in the R-2 Two-Family Residence Zoning District, located on the east side of Almaden Avenue, approximately 230 feet northerly of West Alma Avenue (Neighborhood Housing Svcs Silicon Vly, Owner). Council District 3. SNI: Washington. CEQA: Exempt
 - h. **TR05-040. Tree Removal Permit** to remove two Palm trees, 99 and 101 inches in circumference on a 0.14 gross acre lot in the R-2 Residence Zoning District, located at the east side of Mendenhall Drive approximately 55 feet

south of Alberstone Drive (1668 Mendenhall Drive) (Cheuk Yun Shang Li, Owner). Council District 1. CEQA: Exempt.

- i. **TR05-029. Tree Removal Permit** to remove one Pine tree 132 inches in circumference on a 0.16 gross acre site in the R-1-8 Residence Zoning District located at the east side of Datoro Drive, approximately 320 feet northerly of Grimsby Drive (2240 Datoro Drive) (Pietrantonio Jim Et Al, Owner). Council District 1. CEQA: Exempt.
- j. **TR05-027. Tree Removal Permit** to remove one (1) Liquidamber tree 70 inches in circumference on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at the east side of South Park Drive, approximately 300 feet northerly of Westdale Drive (524 South Park Drive) (Klingmann Jack & Barbara 1988 Trust, Owner). Council District 1. CEQA: Exempt.
- k. **TR05-023. Tree Removal Permit** to approve removal of a Monterey Pine tree, 82 inches in circumference, that was previously removed without benefit of permits, on a 0.17 gross acre site in the R-2 Two-Family Residence Zoning District, located on the North side of David Avenue, approximately 80 feet west of Monica Lane (2911 DAVID AVE). Council District 6. CEQA: Exempt.
- l. **TR05-007. Tree Removal Permit** to remove one Knobcone Pine tree 84-inches in circumference on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on 1759 Creek Drive (Miller, Robert and Catherine, Owner). Council District 6. CEQA: Exempt. **Continued from 4/27/05**
- m. *The projects being considered are located at the southeast corner of Marburg Way and US State Highway 101, in the A(PD) Planned Development Zoning District (PETRONI CAROLINE M TRUSTEE & ET AL, PETRONI FAMILY PART LP, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Mitigated Negative Declaration. Deferred from 4/20/05*
 - 1. **PD04-083. Planned Development Permit** to construct 57 single-family attached residences on a 3.23 gross acre site.
 - 2. **PT04-118. Planned Tentative Map Permit** to subdivide two parcels into 15 lots for 57 single-family attached residences on a 3.23 gross acre site.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **H05-011. Site Development Permit** request to allow a new 3,400 square foot commercial building (Credit Union) to replace the existing 7,200 square foot building on a 0.484 gross acre site. in the CP Pedestrian Commercial Zoning District, located on the northwest corner of Union Avenue and Willester Avenue (3075 UNION AV) (Districts Employees Credit Union, Owner). Council District 9. SNI: None. CEQA: Exempt.

This concludes the Planning Director's Hearing for May 11, 2005. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/index.htm>
PUBLIC INFORMATION COUNTER
(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

April 27, 2005

1. DEFERRALS

- a. PT04-089 **Defer to 5/11/05**

2. CONSENT CALENDAR

- a. PD04-058. **APPROVED.**
- b. TR05-019. **APPROVED**
- c.1 PD04-094 **APPROVED**
- c.2 PT04-126. **APPROVED**

3. PUBLIC HEARING

- a. TR05-007. **Continued to 5/11/05**

Synopsis of Staff Recommendations

May 4, 2005

2. CONSENT CALENDAR

- a. H05-013 **APPROVED**